

SEPTEMBER 8, 2004

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, September 8, 2004, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
CHARLES W. AHREND, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

JOSEPH S. PAXTON, County Administrator
G. CHRIS BROWN, County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
WENDELL J. EBERLY, Director of Recreation & Facilities
JENNIFER M. HOOVER, Director of Public Works
FRANKLIN P. O'BYRNE, Director of Information Systems
STEPHEN R. RIDDLEBARGER, Director of Human Resources
DIANA C. STULTZ, Zoning Administrator
ROBERT A. SYMONS, Fire & Rescue Chief
WILLIAM L. VAUGHN, Director of Community Development
DOTTIE L. BOWEN, Deputy Clerk
DONALD F. KOMARA, Resident Engineer
Virginia Department of Transportation

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CALL TO ORDER
PLEDGE OF ALLEGIANCE AND INVOCATION.

Chairman Ahrend called the meeting to order at 3:00 p.m.

County Administrator Paxton led the Pledge of Allegiance, and Supervisor Cuevas gave the Invocation.

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APPROVAL OF MINUTES.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the Minutes of the Regular Meeting held on August 25, 2004.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department.

In response to an inquiry by Supervisor Kyger concerning a turn lane on Route 11 turning into Route 704, Mr. Komara advised that VDOT was in the process of obtaining right-of-way for that project and would probably start construction in the spring of 2005.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following 2004 Interstate, Primary and Urban Transportation Needs List to be presented by the County at the Commonwealth Transportation Board's Pre-allocation Hearing for the Staunton District on Wednesday, September 22, 2004, at 5:00 p.m. in Verona. Board members noted that, as circumstances change in the County, so might the Board's transportation priorities change.

INTERSTATE, PRIMARY AND URBAN TRANSPORTATION 2004 PRIORITIZED NEEDS LIST

PROJECTS

- 1. ROUTE 659 - PORT REPUBLIC ROAD:** CHANGE DESIGNATION FROM SECONDARY ROAD TO A PRIMARY HIGHWAY FROM HARRISONBURG EASTERN CITY LIMITS TO STATE ROUTE 276.

Comment: With increased development along Route 659 this secondary road provides primary access from Interstate 81 and U.S. 11 to State Route 276 and the designation should be more appropriately primary highway.

- 2. ROUTE 42 TO ROUTE 11/257 BRIDGEWATER CONNECTOR:** THIS PROJECT WILL ENTAIL CONSTRUCTING A FOUR-LANE CONTROLLED ACCESS ROAD FROM ROUTE 42, JUST NORTH OF TURNER ASHBY HIGH SCHOOL, EAST TO THE MT. CRAWFORD AREA.

Comment: This link would provide a direct access to Interstate 81 at Exit 240. (*HATS Project*)

3. **ROUTE 33:** REQUEST CORRIDOR STUDY OF INTERSECTIONS FROM HARRISONBURG TO ELKTON.

Comment: The growth pressures along Route 33 have created the need to evaluate existing and potential access points including turn lanes and service roads to adjacent properties.

4. **ROUTE 340:** EXTEND WIDENING FROM 2 TO 4 LANES FROM ELKTON TOWN LIMITS TO PAGE COUNTY LIMITS.

Comment: The project would improve the safety of this corridor and allow for the continued growth in the Elkton and Page County area. The 2001 traffic count for the 4.19 mile section from south town limits of Elkton to Page county line was 8,000 vehicles per day.

5. **ROUTE 259:** EXTEND WIDENING FROM 2 TO 4 LANES

Comment: This would entail widening Route 259 to 4 lanes from 0.2 mile east of Route 1419 to Route 11. This upgrade would improve current road conditions that carry heavy truck traffic to local industries and provide 4-lane direct access to the Broadway/Timberville area from Interstate 81. The 2001 traffic count for this two-lane section of road was 6,800 vehicles per day.

6. **ROUTE 11:** EXTEND FOUR-LANES NORTH FROM ROUTE 704 TO HARRISONBURG.

Comment: Recommendation for the construction of a 1.3 mile four- or five-lane urban highway from Route 704 west intersection to south corporate limits of the City of Harrisonburg. In conjunction with this project, Route 704 east and west intersections with Route 11 should be realigned to improve traffic movement and signalization.

In addition, the City should be encouraged to rebuild the 0.81-mile section to connect existing four lanes to the above referenced project. This area is zoned industrial and experiencing growth, i.e., Sysco and Rocco distribution centers, continued commercial development along this corridor, and the future development of over 500 acres of industrially-zoned property that will utilize Route 704 to gain access to Route 11 and Interstate 81. The 2001 traffic count for this section of road was 11,000 vehicles per day. (HATS Project)

7. **ROUTE 11 TO ROUTE 42 DAYTON CONNECTOR:** THIS PROJECT WILL ENTAIL CONSTRUCTING A TWO OR FOUR-LANE CONTROLLED ACCESS ROAD FROM ROUTE 42, JUST NORTH OF DAYTON AND THE ROCCO FACILITIES, TO TIE INTO ROUTE 11 AT ITS INTERSECTION WITH INTERSTATE 81, EXIT 243.

Comment: This link would provide a direct access to the I-81 and Route 11 south interchange. (HATS Project)

8. **ROUTE 11 TO ROUTE 33 WESTERN CONNECTOR:** THIS PROJECT WOULD ENTAIL CONSTRUCTING A 4-LANE LIMITED ACCESS URBAN HIGHWAY FROM THE ROUTE 11 NORTH/I-81 INTERCHANGE WESTWARD TO ROUTE 33 TO ITS INTERSECTION WITH GARBERS CHURCH ROAD.

Comment: The current traffic volumes along Market Street warrant the construction of an alternate route. This link would provide a direct access between Route 33 and the interstate. The limited access roadway would include intersections with Routes 753, 42, and 763. These intersections would provide interim access to the roadway but would not be for development purposes. (HATS Project)

HARRISONBURG AREA TRANSPORTATION STUDY (HATS): THE HATS WAS DEVELOPED THROUGH THE JOINT EFFORTS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION, THE CITY OF HARRISONBURG, THE COUNTY OF ROCKINGHAM AND THE TOWNS OF BRIDGEWATER, DAYTON, AND MT. CRAWFORD. THE PLAN RECOMMENDS TRANSPORTATION IMPROVEMENTS THROUGH 2015.

Comment: On January 8, 2003, the Rockingham County Board of Supervisors endorsed the revised HATS as a conceptual plan for VDOT to use in engineering transportation improvements and securing funding. As a result of the urban area designation, the Harrisonburg-Rockingham Metropolitan Planning Organization was established. Under federal law, this entity will be responsible for transportation planning and project recommendations within the designated area.

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VIRGINIA LAW ENFORCEMENT CHALLENGE AWARD.

Mr. Donald Allen, Virginia Association of Chiefs of Police, presented to Sheriff Donald Farley the First Place Award for Sheriff's Category 4, 2003 Virginia Law Enforcement Challenge Award.

In presenting the award, Mr. Allen stated, "The Virginia Law Enforcement Challenge is an annual event of competition between law enforcement agencies. This competition is between agencies of similar size and type. The areas of concentration and consideration are efforts to enforce the laws as well as to educate the public about occupant protection, impaired driving and speeding. Police agencies throughout Virginia submit applications that highlight that agency's effectiveness in those areas. We pay particular attention to agency programs that combine officer training, crime prevention, public information and education along with enforcement efforts that reduce crashes, reducing the number of fatalities and injuries within its jurisdiction. The Rockingham County Sheriff's

Department is a very creative and innovative law enforcement agency, taking a proactive position rather than a reactive position in law enforcement issues. You should all be proud of their efforts and accomplishments. The Virginia Association of Chiefs of Police along with the Division of Motor Vehicles is proud to present this award, the 2003 - 1st place award, for Sheriff's Category 4, Departments with 151-to-400 Sworn Officers. This award is a testament to the hard work, dedication and professionalism that exists within the Rockingham County Sheriff's Office."

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RESOLUTION NO. 04-19 - SHENANDOAH VALLEY REGIONAL AIRPORT.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following Resolution No. 04-19 concurring in the Shenandoah Valley Regional Airport Commission's issuance of \$2.3 million loan for runway improvements.

RESOLUTION NO. 04-19

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ROCKINGHAM, VIRGINIA APPROVING THE INCURRENCE OF DEBT BY THE SHENANDOAH VALLEY REGIONAL AIRPORT COMMISSION

WHEREAS, the Shenandoah Valley Regional Airport Commission (the "Commission") was duly established pursuant to the Code of Virginia, 1950, as amended (the "Code"), and by resolution and agreement of the several political subdivisions of the Commonwealth of Virginia comprising the Commission, namely the Counties of Augusta and Rockingham and the Cities of Harrisonburg, Staunton and Waynesboro, to have and exercise, on behalf of such political subdivisions, the power and authority to operate the Shenandoah Valley Regional Airport ("SVRA").

WHEREAS, the Commission, on August 18, 2004, after the holding of a public hearing thereon, has approved a resolution (the "Commission Resolution") authorizing among other things, the following:

(1) an aggregate up to \$1,116,000 loan funding from United States of America, acting through Rural Housing Services, an agency of United States Department of Agriculture ("RHS"), in order for the Commission to provide long-term financing for the costs to construct and equip a corporate hanger and related facilities thereto (such project being referenced herein as the "New Construction Project"); and

(2) an aggregate up to \$1,200,000 loan funding, on a taxable or tax-exempt basis, or both, in one or more series, in order for the Commission to pay the costs to (i) reconstruct, refurbish and modernize existing corporate hangar facilities at SVRA, (ii) construct and equip general public terminal areas, (iii) construct public parking

facilities; and (iv) refund and refinance the outstanding amount of that certain revenue bond issued by the Commission to Planters Bank, on September 30, 1997, in the original principal amount of \$620,615.97 (such undertakings being collectively referenced herein as the "Renovation and Refinancing Project").

WHEREAS, pursuant to the Code and the resolution and agreement entered into by the several political subdivisions, as amended and supplemented from time to time (the "Agreement"), the Commission must request approval of each of the political subdivisions constituting the Commission in order to issue any indebtedness of the Commission.

WHEREAS, pursuant to such Commission Resolution (a copy of which is attached hereto as Exhibit A), the Commission has recommended that the governing bodies of the several political subdivisions approve the incurrence of such indebtedness by the Commission in connection with the New Construction Project and the Renovation and Refinancing Project, subject to the determination of the final terms and provisions therefore (all such undertakings by the Commission being collectively referenced herein as the "Loans").

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisor of the County of Rockingham, Virginia (the "Locality"), as follows:

1. The incurrence of the Loans by the Commission, from time to time, is hereby approved and authorized in accordance with the provisions of the Code and the Agreement.

2. It is to be understood that the documents reflecting the terms and provisions of the Loans shall provide that such indebtedness shall not be deemed to constitute a debt or pledge of the faith and credit of the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the Commission and the Locality, and that neither the Commonwealth nor any other political subdivision or the Commission shall be obligated to pay the principal of, premium, if any, or interest on such indebtedness or other costs incident thereto, except from the revenues pledged by the Commission therefore, all as permitted by law and described under the documentation in connection with the Loans, and the monies pledged by the respective subdivisions for the operation of SVRA, from time to time, and that neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the Locality and the Commission, shall be pledged for the payment of the principal of, premium, if any or interest on such indebtedness of the Commission or the costs incident thereto.

3. This Resolution shall take effect immediately.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Paxton's staff report dated September 3, 2004, including information on the planned joint communication system, economic development matters, the landfill, and Keezletown property update.

The Board received from the County Administrator a memorandum, prepared jointly by the County Administrator and City Manager, outlining the evaluation of the proposals to construct a new radio system for the area. As recommended, on motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized staff to enter into final negotiations with M/A-Com, Inc., from Lynchburg, Virginia, to supply this system. Further, the Board authorized staff to continue to negotiate with WND, a tower site developer from Atlanta, Georgia, which is proposed to purchase tower sites, construct towers and lease a portion of the sites back to the City and County. Staff will bring further recommendations to the Board.

In regard to the Keezletown property, Supervisor Cuevas asked staff to determine the life term of tax credits, which is the number of years the credits can be spread over.

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COUNTY ATTORNEY'S STAFF REPORT.

The Board received and reviewed Mr. Brown's staff report dated September 3, 2004, including information to be considered during closed meeting. He advised that the Note approved for the Lilly Subdivision on August 11, 2004, should have been for \$130,000 rather than \$150,000, since the County received a \$20,000 planning grant from the State.

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DEPUTY COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. King's staff report dated September 3, 2004, including information concerning storage for fire and rescue vehicles and equipment and concerning wireless telephone service.

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FINANCE DIRECTOR’S STAFF REPORT.

Mr. Allmendinger submitted a list of items which he recommended the Board declare as surplus.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board declared the items as surplus, agreed to donate a 1983 Ford Ambulance to the Shenandoah Volunteer Fire Company, and ordered that the remaining items, as shown on the following list, be sold at public auction.

2004 Auction Inventory

***Items Located at Pleasant Valley Modular Unit	
Description	Quantity
Chairs	15
Blinds	10
Desks	2
Hanging File Cabinets	5
VCR	1
Typewriters	8
Copy Machines	3
Fax Machines	1
Slide Projector Reels	12
Banker Boxes	9
Tables	2
Cabinets w/ Doors	2
X-Ray Light	1
Folding Doors	4
Record Storage Boxes	7
Heaters (ceiling)	2
Conference Room Tables	2
**Items located at Bridgeport Building Basement	
Xerox 1038 Copier	1
Copier Stand	1
**Items located at the Sheriff's Office	
Bunn Commercial Coffee Maker	1
**Items located at Rockingham County Admin. Center	
Adding Machine	1
Chairs	6

VCR	1
Office Chair	1
Clocks	2
Okidata Image Drum Kit	8
Lexmark Linea Print Cartridges	4
Typewriter Ribbons	1
13" Black And White TV	1
Pitney Bowes Stuffer/Sorter Machine	1
Utility Table 30x46 w/ sliding door storage under top	1
Utility Table 30x68 w/ sliding door storage under top	1
Information Systems Inventory List	
ML 370 server, Dual 500 MHZ, no memory, 54 GB HD (COMPAQ)	1
800 MHZ, 256MB RAM, 9.5 GB HD computers (DELL)	6
300 MHZ, 64 MB RAM, 4 GB HD computers (NWT)	6
DATA CARTRIDGE ORGANIZERS (DC 300/600)	3
166 MHZ, 64MB RAM, 2 GB HD computer (AOPEN)	1
200 MHZ, 64MB RAM, 4 GB HD computer (AOPEN)	1
200 MHZ, 64MB RAM, 2.5 GB HD computers (AOPEN)	2
200 MHZ, 32MB RAM, 2.5 GB HD computer (MERIDIAN)	1
600 MHZ, 32MB RAM, 8 GB HD computer (CLONE)	1
166 MHZ, 32MB RAM, 2 GB HD computer (KENITEC)	1
366 MHZ, 64MB RAM, 4 GB HD computers (MERIDIAN)	6
400 MHZ, 64MB RAM, 4 GB HD computer (MERIDIAN)	1
233 MHZ, 48MB RAM, 2.5 GB HD computer (KENITEC)	1
AT style computer cases	5
400 MHZ, 128MB RAM, 13 GB HD computers (GATEWAY)	2
Shiva LanRover	1
500 MHZ, 256MB RAM, 4 GB HD computers (UTRON)	4
200 MHZ, No Memory, 2 GB HD computer (AOPEN)	1
Synoptics 2803 16 port hub	1
AT style keyboards	9
Serial bus style mice	10
Baystack 254 12 port hubs	2
Baystack 255 24 port hubs	6
Hayes 28.8 smart modem	1
U. S. Robotics 33.6 modems	6
21" Viewsonic monitor	1
HP 1200 LaserJet printer	1
Okidata 590 Microline printers	3
HP LaserJet 4 Plus printer	1
Okidata 591 Microline printer	1

FLSA Status: Exempt

JOB TITLE SUPERVISOR: Director of Community Development

PRIMARY OBJECTIVE/PURPOSE:

This professional, administrative and supervisory position manages all planning aspects of Community Development review functions, including subdivision plats and site plans. Responsible for the evaluation and improvement of the entire development review process; and, for tracking, monitoring, and processing of individual projects. Does related work as required.

QUANTITATIVE MEASURES:

Review subdivision plats, site plans, and final plans, supervise 3 to 8 employees, and oversee automated permitting system.

SUMMARY OF JOB:

Reports to the Director of Community Development.

Responsible for direct supervision of the office assistant and permit specialists with the exception of the permit specialist responsible for addressing.

Strong leadership, communication, problem solving and decision making skill required; Ability to facilitate and to be proactive in a team setting; Thorough knowledge of local government development review processes and land use regulations; Ability to establish and maintain effective working relationships with associates, subordinates, outside agencies, members of the general public, citizen groups and development community.

Must have thorough knowledge of the professional planning process and applicable laws, as well as working knowledge of public administration, public relations, and management, supervision, and project management. Such knowledge is gained through formal education and related job experience.

Continuous and extensive interpersonal and written contact is made with many individuals, agencies, legislators, and interest groups to facilitate the achievement of goals and objectives.

Work is primarily performed in the County Administration Center. Some travel is involved by automobile to various locations generally within the State. The normal work schedule is Monday through Friday. Incumbent also attends meetings after normal work hours.

ESSENTIAL FUNCTIONS:

1. Plan, develop, implement and evaluate policies concerning County regulation of property development plans
2. Review subdivision, final plans, site plans and attend Planning Commission meetings

3. Compile and prepare status reports on subdivision and site plan activities
4. Assist in the implementation and tracking of development review software, as updates occur
5. Create updates and revisions to County codes and ordinances, and develops regulations as appropriate
6. Represent the Department of Community Development at meetings, conferences, etc. (e.g. Planning Commission, Board of Supervisors, community and development groups, etc.); prepare meeting agendas for Community Development items as needed
7. Perform all facets of personnel management within the division; including the right to hire or fire subordinates or at least the right to make hiring and firing recommendations that carry significant weight.
8. Assist in the preparation of text amendments to subdivision, zoning, and other ordinances impacting Community Development
9. Manage customer service for development review process and intake
10. Track & troubleshoot the development process from submittal through certificate of occupancy;
11. Receive, coordinate resolution, and respond to inquiries/complaints from the public (which may include developers, consultants and citizen groups) regarding development review issues;
12. Evaluate and ensure proper use of a consolidated system for electronically processing and tracking development applications and permits;
13. Perform other related duties as required. Work may require travel to onsite locations and job sites.

MINIMUM REQUIREMENTS:

Bachelor's degree in Planning, Architecture, Public Administration or a related field-preference may be given for a related Master's degree

Minimum 1 year of work experience managing budgets and fiscal matters. Preference may be given for related work experience at the local government level

Knowledge of planning, zoning and subdivision principles

Knowledge of the methods of conducting research and statistical analysis, with the ability to effectively complete and prepare comprehensive reports and analyses

Knowledge of adequate public facilities ordinance and impact fees

Ability to effectively read and interpret maps and building plans

Ability to effectively access and utilize computerized systems and equipment, and to assess new software products for applicability and cost effectiveness

Ability to effectively supervise, direct and evaluate the performance of staff members

Ability to develop and maintain effective working relationships with related boards and commissions, public officials, media representatives, contractors, co-workers and the general public

Strong and effective spoken and written (English) communication skills, including public speaking skills

Physical requirements include the ability to complete comprehensive on-site property inspections

PHYSICAL REQUIREMENTS:

Physical requirements are summarized on the following chart:

Analysis of Physical Effort					
Lift		Stand	F	Reach	O
Up to 20 lbs.	F				
21-50 lbs.	O	Walk	F	Handle	F
Over 50 lbs.	N				
		Sit	F	Finger	O
Carry					
Up to 20 lbs.	F	Crawl	N	Feel	O
21-50 lbs.	O				
Over 50 lbs.	N	Climb	O	Talk	F
Push/Pull		Balance	N	Hear	F
Up to 20 lbs.	F				
21-50 lbs.	O	Bend/Stoop	O	See	C
Over 50 lbs.	N				
		Kneel/Squat	O	Drive Vehicle	O
CONSTANT			(C)	(at least 2/3's of	
time)					
FREQUENT	(F)	(1/3 - 2/3's of time)			
OCCASIONAL	(O)	(less than 1/3 of time)			
NEVER	(N)	(does not regularly exist)			

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Hoover's staff report dated September 3, 2004, including information concerning progress on the sewer project for Route 11 North; Lilly Gardens; Countryside water system; Penn Laird Drive and Water Tower Road sewer; Lakewood/Massanetta Springs pump station, Spotswood High School waterline extension, Wal-Mart water and sewer project, Grottoes Container Site, Water/Sewer specifications, Posi-shell, and City of Harrisonburg Waste to Energy Plant.

Board members advised staff that they prefer to use the name Penn Laird Sewer Authority for the area to be served with the Penn Laird Sewer Project.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated August 6, 2004, including information concerning Planning Commission activities, the McGaheysville Area Study, priority projects underway, upcoming requests, and tabled requests.

Supervisor Kyger asked if staff could advise applicants for buildings permits to of restrictive covenants that may be on the property on which they plan to build. Mr. Paxton suggested that it may require less staff time to advise applicants to check to see if there are restrictive covenants before they start construction. Supervisor Kyger was amenable to that suggestion.

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INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. O'Byrne's staff report dated August 5, 2004, including information concerning the ICHRIS database software, the Courthouse deed room image processing, Web Page re-redesign, Reassessment, Parks and Recreation Department, Deed Room Scanning Computers, Tape Backup Unit, Courthouse Server Replacement, and Finance Department Replacement Computers.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Symons' staff report dated August 4, 2004, including information concerning training, meetings attended, projects, fire training, prevention division activities, public education, emergency generators in the schools, Disaster Recovery Task Force, and VA Office of Emergency Medical Services Grant.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized staff to apply for a VA Office of Emergency Medical Services Grant of \$25,440 for VHF pagers and to fund a part of the recruitment and retention program, with the County match to come from currently budgeted funds.

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RECREATION AND FACILITIES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Eberly's staff report dated August 4, 2004, including information concerning the Plains District Community Center, District Courts renovation project, Community Development Department renovations, McGaheysville Elementary Baseball field and Recreation programs.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

On motion by Supervisor Breeden, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Buildings & Grounds Committee, the Board awarded the contract for renovations to the Community Development Department to the only bidder, Valley Renovators, Inc., Penn Laird, VA, in the amount of \$25,630. Mr. Vaughn noted staff had solicited bids from numerous contractors but none had returned bids.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Finance Committee and as requested by the Social Services Director, the Board approved a supplemental appropriation in the amount of \$13,125 for temporary assistance for needy families to provide assistance to people with disabilities to overcome their disability and become self-sufficient. These funds are federal and state funded and will require no local match.

Supplemental Appropriation: \$13,125

GL Code: 220-05302-200-5763-000
(TANF Disability Fund)

On motion by Supervisor Cuevas, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Public Works Committee, the Board awarded the bid for Phase II of the Grottoes Container Site to the low bidder, A&J Development and Excavation, Inc., in the amount of \$151,288.00.

The following is a summary of the bids.

<i>A&J Development and Excavation, Inc.</i>	<i>\$151,288.00</i>
<i>Partners Excavating Company</i>	<i>\$210,055.00</i>
<i>Lantz Construction</i>	<i>\$214,282.00</i>

Supervisor Cuevas asked that staff post the area around the perimeter of the landfill reminding people of the active landfill in operation; that the County Administrator send a letter to developers along the property lines of the landfill and to the City Manager reminding them that there is an active landfill immediately adjacent to their land and that new residents should be made aware of the type of activity they will be neighbors to. He added that the same type of letter should be sent to any property owners adjoining the landfill.

He advised the Board that the Public Works Committee had instructed staff to proceed with extension of the sewer line being connected to Valley View Trailer Park,

Route 11 North, so the line can be extended - while there are no mobile homes on the new sites - to the County's Technological and Industrial Park. The Board commended staff for its proactive measures in this matter.

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CLOSED MEETING.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by the following vote: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; and KYGER - AYE; the Board recessed the meeting from 4:40 TO 5:10 p.m. to discuss real estate acquisition and economic development as set forth by Virginia Code Section 2.2-3771(A)(3)and (5).

At 5:10 p.m., Chairman Ahrend called the meeting back to order and the following motion was adopted.

MOTION: SUPERVISOR KYGER RESOLUTION NO: X04-10
SECOND: SUPERVISOR CUEVAS MEETING DATE: SEPT. 8, 2004

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:

AYES: AHREND, BREEDEN, CUEVAS, FLOYD, KYGER
NAYS: NONE
ABSENT: NONE

Without objection, the meeting was recessed for dinner.

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CALL TO ORDER.

Chairman Ahrend called the regular session back to order at 7:00 p.m.

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RESOLUTION NO. 04-19 - DR. GERALD WILLIAMS.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution and presented a copy to Dr. Gerald Williams.

RESOLUTION

WHEREAS, Rockingham County is the premier agricultural county in the Commonwealth and one of the top agricultural counties in the country; and

WHEREAS, the Rockingham County Comprehensive Plan recognizes that maintaining rural and agricultural heritage is a shared and strong commitment of the people and the government of this area; and

WHEREAS, Agricultural and Forestal Districts in Rockingham County currently provide voluntary protection for 27,871 acres of productive, privately-owned land; and

WHEREAS, the formation of these districts was strongly assisted by the help of a small group of dedicated and forward-thinking individuals; and

WHEREAS, Dr. Gerald Williams, a farmer, a volunteer and a civic leader in the Valley Conservation Council, has encouraged and fostered the formation of agricultural/forestal districts in the County and the broader Shenandoah Valley;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors commends the tireless work of Dr. Williams on behalf of County farmers and honors his care and commitment to the development of sound land use policies and the stewardship of County farms, forests and open spaces.

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STUDENT AND SCOUT WELCOMED.

The Board welcomed Drew Zirkle, a student from Broadway High School Government class, and Patrick Teague, a Scout from Troop 83, Mt. Clinton.

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PUBLIC HEARING - REZONING REQUEST.

At 7:07 p.m., Chairman Ahrend declared the meeting open for a Public Hearing on the following special use permit applications. Ms. Stultz reviewed the details of the requests.

S04-48, request of Jason E. Zirk, 344 Gravels Road, Harrisonburg, for mini storage/self storage facility on property located on the east side of North Valley Pike (Rt. 11) approximately 300' north of Vine Street in Linville Magisterial District, Election District #2, zoned B-1 (General Business). Tax Map #94-(A)-134B and SE portion of 94-(A)-140.

The applicant was present to answer questions.

No opposition was expressed.

S04-49, request of William C. Green, DVM, 1025 George Edward Via, Christiansburg, for a veterinary clinic on property located on the north side of Rockingham Drive (Route 981) approximately 350' west of Honeysuckle Road (Route 980) in Stonewall Magisterial District, Election District #5, zoned A-2 (General Agricultural). Tax Map #129-(A)-169.

The applicant was present to answer questions.

No opposition was expressed.

S04-50, request of Forward Properties LLC, PO Box 207, Penn Laird, for a project management office and small storage facility for Crossroads Development (like use to small contractor's office) on property located on the east side of Cross Keys Road (Route 276) approximately 1/10 mile south of Spotswood Trail (Route 33) in Central Magisterial District, Election District #3, zoned A-2. Tax Map #126-(A)-58.

Ray Niceey, representing the applicant, explained that the request was for a construction management office for Crossroads Farm. He noted that it was not intended for retail sales, would not be open to the public and would only be used for occasional meetings.

Supervisor Cuevas asked if there would be any problem for the office to be used as a by-appointment sales office.

Ms. Stultz explained that, with the special use permit, it could be used for that purpose.

No opposition was expressed.

Chairman Ahrend closed the public hearing and called the meeting back to order at 7:11 p.m.

At the request of Chairman Ahrend, on motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; subject to the following conditions, the Board approved S04-48, request of Jason E. Zirk, 344 Gravels Road, Harrisonburg, for mini storage/self storage facility on property located on the east side of North Valley Pike (Rt. 11) approximately 300' north of Vine Street in Linville Magisterial District, Election District #2, zoned B-1 (General Business). Tax Map #94-(A)-134B and SE portion of 94-(A)-140.

- (1) The use shall be located in substantial accordance with plot plan as approved by the Board of Supervisors.
- (2) Buildings shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
- (3) A commercial entrance permit shall be obtained and entrance shall be installed as required by VDOT. A copy of said permit shall be submitted to the Community Development Department prior to issuance of a building permit.
- (4) As required by the Health Department there shall be no inside plumbing in any of the buildings.
- (5) This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
- (6) The property line between the two parcels shall be vacated and a subdivision plat must be approved for this consolidation.
- (7) On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.
- (8) There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
- (9) Off-street parking shall comply with the Rockingham County Code.

- (10) Applicant shall not permit the storage of explosives, fuels or other flammable materials, or goods or products that contain, emit, produce, or generate toxic or hazardous substances in such quantities or in such manner which would require reporting under The Emergency Planning and Community Right to Know Act, 42 USC § 11001 et seq. or The Comprehensive Environmental Response, Compensation and Liability Act, 42 USC § 9601 et seq.
- (11) This business shall not begin operation until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

On motion by Supervisor Breeden, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; subject to the following conditions, the Board approved S04-49, request of William C. Green, DVM, 1025 George Edward Via, Christiansburg, for a veterinary clinic on property located on the north side of Rockingham Drive (Route 981) approximately 350' west of Honeysuckle Road (Route 980) in Stonewall Magisterial District, Election District #5, zoned A-2 (General Agricultural). Tax Map #129-(A)-169.

- (1) The use shall be located in substantial accordance with plot plan as approved by the Board of Supervisors.
- (2) Building shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
- (3) As required by VDOT the commercial entrance for the business shall be installed on Spotswood Trail (Rt. 33) and the access on Rockingham Pike (Rt. 981) shall be used for residential use only. A copy of the entrance permit shall be submitted to the Community Development Department prior to issuance of a building permit.
- (4) This permit is contingent up the property being connected to the County sewer or to a suitable drainfield being found as required by the Health Department.
- (5) This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
- (6) Inasmuch as the only use of parcel 170 is for the driveway, the properties do not have to be consolidated. However, should the parking for the business go over onto parcel 170 the property line would have to be vacated and the lots consolidated.
- (7) On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.

- (8) There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
- (9) Off-street parking shall comply with the Rockingham County Code.
- (10) This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
- (11) As indicated by the applicant, there shall be no boarding kennels and no outside runs. However, animals receiving treatment at the clinic may be kept overnight as necessary.
- (12) This business shall not begin operation until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

On motion by Supervisor Floyd, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; subject to the following conditions, the Board approved S04-50, request of Forward Properties LLC, PO Box 207, Penn Laird, for a project management office and small storage facility for Crossroads Development (like use to small contractor's office) on property located on the east side of Cross Keys Road (Route 276) approximately 1/10 mile south of Spotswood Trail (Route 33) in Central Magisterial District, Election District #3, zoned A-2. Tax Map #126-(A)-58.

- (1) The use shall be located in substantial accordance with plot plan as approved by the Board of Supervisors.
- (2) Any alterations to the existing buildings shall comply with the Virginia Uniform Statewide Building Code and the proper permits shall be obtained.
- (3) This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
- (4) VDOT reserves the right to require future entrance upgrades should conditions warrant.
- (5) Off-street parking shall comply with the Rockingham County Code.
- (6) On-premise advertising sign, if needed for delivery purposes shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.

- (7) There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
- (8) This business shall not begin operation until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

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THE GREATER ROCKINGHAM SOLID WASTE MANAGEMENT PLAN.

At 7:12 p.m., Chairman Ahrend declared the meeting open for a public hearing on the Greater Rockingham Solid Waste Management Plan. Solid Waste Planning Regulations, Amendment 1, 9 VAC 20-130-10 et seq., effective August 1, 2001, require the Greater Rockingham Solid Waste Management Region (which includes Rockingham County, and the towns of Bridgewater, Broadway, Dayton, Elkton, Grottoes, Mt. Crawford, and Timberville) to develop a comprehensive and integrated solid waste management plan by September 30, 2004, that, at a minimum:

- Identifies the solid waste management needs and objectives of the region for the next 20 years while seeking to protect the public health, public safety, environment, and natural resources of the region with the most effective and efficient use of available resources.
- Produces an implementation and funding strategy to meet the needs and objectives identified in the plan.
- Continues to develop the region's integrated waste management strategy, which includes source reduction, reuse, recycling, waste-to-energy, and landfill disposal.
- Ensures that the region maintains or exceeds the state mandated 25% recycling rate.
- Provides a strategy to sustain or improve public education and information on source reduction, reuse, and recycling.
- Considers public and private sector partnerships in the improvement of solid waste management.

Public Works Director Hoover advised that the draft Plan was submitted for the Board's approval. She noted that John Giles of the Central Shenandoah Planning District Commission and Linda Zirkle, Recycling Coordinator, both of whom worked on preparing the draft, were present to answer any questions the Board might have. She explained that the Plan was last updated by the County in 1991, and the Department of Environmental Quality required that it be brought up to date.

There were no requests to speak on this matter.

Chairman Ahrend closed the public hearing at 7:15 p.m.

On motion by Supervisor Kyger, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution:

**RESOLUTION NO. 04-20 ADOPTING
THE GREATER ROCKINGHAM SOLID WASTE MANAGEMENT PLAN**

WHEREAS, the County of Rockingham and the Towns of Bridgewater, Broadway, Dayton, Elkton, Grottoes, Mount Crawford and Timberville, have been designated as a solid waste planning region known as The Greater Rockingham Solid Waste Management Region for the purpose of joint development of a solid waste management plan, and

WHEREAS, Solid Waste Planning Regulations, Amendment 1, 9 VAC 20-130-10 et seq., effective August 1, 2001, require each region in Virginia to develop comprehensive and integrated solid waste management plans by July 1, 2004, that, at a minimum:

- Identify the solid waste management needs and objectives of the Region for the next 20 years while seeking to protect the public health, public safety, environment, and natural resources of the Region with the most effective and efficient use of available resources.
- Produce an implementation and funding strategy to meet the needs and objectives identified in the plan.
- Continue to develop the Region's integrated waste management strategy, which includes source reduction, reuse, recycling, waste-to-energy, and landfill disposal.
- Ensure that the Region maintains or exceeds the state mandated 25% recycling rate.
- Provide a strategy to sustain or improve public education and information on source reduction, reuse, and recycling.
- Consider public and private sector partnerships in the improvement of solid waste management; and

NOW, THEREFORE, BE IT RESOLVED, that the County of Rockingham and the Towns of Bridgewater, Broadway, Dayton, Elkton, Grottoes, Mount Crawford and Timberville, Virginia, do hereby adopt the Greater Rockingham Solid Waste Management Plan in accordance with 9 VAC 20-130-140.

BE IT FURTHER RESOLVED, that the Rockingham County Board of Supervisors authorizes the Rockingham County Administrator to submit the Greater Rockingham Solid Waste Management Plan to the Virginia Department of Environmental Quality by September 30, 2004.

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INFORMATION ITEMS.

The Board received the following Information Items from the County Administrator:

- a. Water Report to the State Health Department for July 2004.

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ADJOURNMENT.

By consensus, the Board adjourned the meeting at 7:27 p.m.

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Chairman